

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

KEVIN LANE,

Plaintiff,

vs.

WELLS FARGO BANK, N.A. et al.,

Defendants.

3:12-cv-00023-RCJ-VPC

**ORDER**

This is a foreclosure case. Plaintiff filed the Complaint on November 23, 2011 in the Ninth Judicial District Court of the State of Nevada in Douglas County, and that court numbered the case 11-CV-0360. (*See* Compl., Nov. 23, 2011, ECF No. 1, at 8 in Case No. 3:12-cv-00015). Defendant Wells Fargo Bank, N.A. removed. (*See* Notice of Removal, Jan. 9, 2012, ECF No. 1 in Case No. 3:12-cv-00015). Defendant Ticor Title of Nevada, Inc. then purported to remove the same case four days later. (*See* Notice of Removal, Jan. 13, 2012, ECF No. 1; Compl., Nov. 23, 2011, ECF No. 1-1). Upon the first removal, however, the state court lost jurisdiction. *See Resolution Trust Corp. v. Bayside Developers*, 43 F.3d 1230, 1238 (9th Cir. 1994). "If the state court lacked jurisdiction, then the federal court on removal lacks jurisdiction as well." *Transure, Inc. v. Marsh & McLennan, Inc.*, 766 F.2d 1297, 1300 (9th Cir. 1985).

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**CONCLUSION**

IT IS HEREBY ORDERED that the Motion to Dismiss (ECF No. 3) is DENIED and the case is DISMISSED for lack of jurisdiction.

IT IS FURTHER ORDERED that the hearing set for July 30, 2012 is VACATED.

IT IS FURTHER ORDERED that the Clerk shall close the case.

IT IS SO ORDERED.

Dated: This 11th day of May,

  
ROBERT C. JONES  
United States District Judge